

REMARKS

Claims 1 - 6 and 10 - 15 are pending with claims 7 - 9 canceled and claims 10 - 15 added by this paper.

Prior Art Rejections

Claims 1 - 9 stand rejected as allegedly being anticipated by and/or obvious over U.S. Patent No. 6,277,485 (Invie). Applicants respectfully traverse these rejections.

As admitted in the Action, Invie fails to teach or suggest vacuum-depositing the perfluoropolyether modified silane directly onto a backing member (relevant to claims 1 and 12). Rather, Invie discloses a wide variety of coating methods by applying the antisoiling coating in the form of a liquid (e.g., column 3, lines 15 - 22 and column 10, lines 17 - 46). It fails to teach or suggest applying a perfluoropolyether modified silane in the form of a vapor (relevant to claims 14 and 15).

Moreover, this difference in application creates a different final product as shown by evidence of record. Referring to the present specification at pages 12 - 15, Example 1 applies a perfluoropolyether modified silane to the surface of an antireflective layer using a spin coating method in the form of a liquid. This method is representative of the liquid-coating methods of Invie. In Example 2 of the present application, a perfluoropolyether modified silane is vacuum-deposited directly onto the antireflective layer. As depicted in Table 1 at page 15, the perfluoropolyether modified silane deposited by vacuum-depositing exhibits a smaller drop angle and lower peel strength than the layer in the example made by spin coating. Thus, this data establishes an unobvious difference in the final product as a result of vacuum-depositing and must be considered when examining product-by-process claims. Please see M.P.E.P. §2113. Consequently, Applicants respectfully submit that the vacuum-deposited surface layer of the present invention is patentable over the antisoiling coating of Invie.

As an additional independent basis of patentable distinction, Invie fails to provide sufficient blazemarks or guideposts to lead one of ordinary skill in the art to the claimed invention. At column 7 - 8, Invie provides a formula (I) of a fluorinated silane. This generic formula encompasses a vast number of fluorinated silanes. Although Invie provides examples of

the R¹ groups (e.g., at column 8, lines 18 - 20), Invie prefers the R¹ group -C(O)NH₂(CH₂)₃-, and exemplifies fluorinated silanes having this group (see, e.g., column 8, line 20 and examples at Tables 1 - 2 and 4 at columns 15 - 20).

Supererogatorily, Example 2 of the present specification (relevant to the claimed invention) has a much lower drop angle and peel strength as compared to Compound 4 of Comparative Example 3 of the present specification (relevant to Invie when R¹ is -C(O)NH₂(CH₂)₃-). These advantages are significant and unexpected because, e.g., Invie fails to teach any differences between -(CH₂)O(CH₂)₃- over -C(O)NH₂(CH₂)₃-. Rather, Invie suggests their equivalence. Consequently, these results would be significant and unexpected. Furthermore, the present invention also establishes superiority of vacuum-depositing by exhibiting a much lower drop angle and peel strength (relevant to Example 2) in view of spin coating used in Example 1 (relevant to Invie). Consequently, this further establishes the significant and unexpected results of the claimed invention.

In view of the above remarks favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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